

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

ORMOND E. HUNTER, JR.,

Plaintiff,

v.

JAMES H. MOORE, III, et al.,

Defendants.

Civil Action 7:12-CV-147 (HL)

ORDER

On December 5, 2012, Defendant Moore, Clarke, Duvall and Rodgers, P.C. filed a Motion to Dismiss (Doc. 5). This Motion is the second Motion to Dismiss filed in this case. The first Motion to Dismiss was filed by Defendants Thomas County Federal Savings and Loan Association, D. Bradley Folsom, and Matthew Eutzler (Doc. 3) on November 26, 2012.

Since Plaintiff is proceeding *pro se*, the Court deems it appropriate and necessary to advise him of his obligations in responding to this Motion to Dismiss and of the consequences which he may suffer if he fails to file a proper response.

Plaintiff is advised:

- (1) that a Motion to Dismiss has been filed herein on behalf of Defendant;
- (2) that he has the right to oppose the granting of said Motion; and,
- (3) that if he fails to oppose said Motion, the complaint against Defendant may be dismissed.

Plaintiff is further advised that under the procedures and policies of this Court, motions to dismiss are normally decided on briefs. The Court considers the complaint and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

Failure of Plaintiff to respond to the Motion to Dismiss may result in the granting of said Motion. There would be no trial or any further proceedings as to the Defendant seeking dismissal.

Accordingly, Plaintiff is directed to file a response to said Motion to Dismiss no later than Wednesday, January 9, 2013. Defendant will then have the opportunity to file a reply brief as provided by the Local Rules. Thereafter, the Court will consider the Motion. If no response is submitted by Plaintiff, the Court will consider said Motion to be uncontested.

This Order does not affect Plaintiff's obligation to appear before the Court on December 17, 2012. Plaintiff is expected to be in Valdosta, Georgia on that date to confer with the Court about his case.

The Clerk is directed to serve Plaintiff at the address listed on the docket.

SO ORDERED, this the 6th day of December, 2012.

s/ Hugh Lawson

HUGH LAWSON, SENIOR JUDGE

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